

City of Wright City
Board of Aldermen Meeting
January 28, 2010, 6:30 pm

Signed in Attendance: Nancy Huster, Donna MaHaney, Donald Korte, Danny Campbell, James Toothmann, John O'Connor, Tim Schmidt, Timothy Reynolds, Dave & Lyn Walter, Tony Midiri, Jennifer Hans, Matt Hans, Jeff McMullin, Ken McLaughlin, Arden Engelage, Larry Terbrock, Bernie Terbrock, Matt & Sarah Kaatman, Shawn & Christina Nitchman, Ralph Hellebusch, Jim Lowry, Janice Lowry, Billy Ivie, Kellie Pettig, Mark Pettig, Bill Stinson, Barb Grab, Ron Grab, Austin Jones, and Patricia A. Terpstra.

City Official attendance: Mayor White, Alderman Schuchmann, Alderman Abercrombie, Alderman Black, and Alderman Reynolds were present.

Staff and Others: Superintendent Larry Janish, Economic Developer Karen Gironde, City Clerk Christine Martin, Police Chief Henry Matthews, Police Officer Jeffery Scanlon and City Attorney Leslie Tolliver-Rogers.

Roll Call

City Clerk Christine Martin called roll with Mayor White, Aldermen Schuchmann, Black, Abercrombie and Reynolds present. The City Clerk reported the Mayor and four Board Members present.

Mayor White called the meeting to order at 6:30 pm.

Meeting Minutes

Minutes from Board Meeting of January 14, 2010 – Alderman Schuchmann made a motion to approve the minutes from the Board of Alderman Meeting of January 14, 2010. Alderman Black seconded it and the motion unanimously carried.

Responses to previous comments/concerns - None

Open meeting to public comments/concerns

Matt Kaatman of 313 Late Harvest Drive was present and filled out a Public Comments form to speak. Mr. Kaatman asked to read a statement out loud to the Mayor and Board and proceeded to read it. Mr. Kaatmann stated what he thought needed to be done with Stuermann Road and that it should not go on any longer and wanted a decision to be made at tonight's meeting. He said he has asked the residents, Warren County officials, the Fire and Ambulance Districts to be present. Mr. Kaatmann also submitted a proposed plan of action for the solution to Stuermann Road. Mayor White asked if any one from the County was present. Arden Engelage, Presiding Commissioner from Warren County, was present. Mayor White then read from the Board minutes of March 13, 2008, when Bernie Terbrock was present and asked about the status of Stuermann

Road. Arden Engelage stated Warren County had a Public Notice advertised for a hearing held March 20, 2006, where they met with Mayor Eileen Klocke, City Clerk Jeannie Mueller, Larry Janish from Public Works and Gary Reider, County Road Superintendent, Ken McLaughlin, Tom Lafferty attended and discussed the access for Ken McLaughlin's property. Arden Engelage said at that meeting he made a motion to turn Stuermann Road over to the City subject to Wright City drawing up the quit claim deed. He said the City never drew up the deed. He said they started working on the road and the City was called and was informed to draw up the paperwork or quit working on the road because it didn't meet County's specs. Mayor White asked who worked on the Road. Larry Janish stated it had to be the developer because the City never worked on the road. City Attorney Leslie Tolliver-Rogers asked Mr. Engelage about the hearing and if the request from Wright City was in writing. Arden Engelage provided the City Attorney with some documents regarding Stuermann Road. Larry Terbrock said he put \$40,000 in the road to widen the road to make it safe for two cars to pass. Mayor White said it is his understanding from the previous administration they made it clear to the developers, the builders and the County that the City did not want the road. Matt Kaatman asked if it was fair to the residents that live there without a publicly maintained road. Other residents spoke up about the road not being safe and questioned what would happen when the mail delivery, trash trucks, emergency vehicles would not be able to access their homes because of the condition of the road. It was suggested the City possibly stop issuing permits until the road is fixed. Larry Terbrock stated the ownership of Stuermann Road as he thought it was deeded over to the City by PR Development. Alderman Schuchman stated PR Development did not actually own the property in 2006 so they could not deed it to the City. He said it is a question of who now owns the road. Alderman Schuchmann added that two years ago the City was working on a solution to the road. At that time we needed to sit down with all the parties involved working towards it, but because of all the negative press that was generated towards individuals people stop participating in it and the process came to a halt. Mr. Kaatmann asked about widening and repaving the existing road instead of redirecting it to reduce the cost. Alderman Schuchman explained once there are a certain number of homes built back in the subdivision MODOT will not allow the current entrance into the subdivision because they want it on top of the hill. Mayor White asked when the development started and Alderman Schuchmann gave some history on it. He said in late 2004 the property sold to PR Development and the project was started between 2005 or 2006. Jeff McMullin talked about escrow being collected from the developers and how they should work. He said a solution is for everyone to post escrows before they move on. Alderman Schuchman said that was the solution they proposed a couple of years ago to form a NID. In 2008 a NID (Neighborhood Improvement District) was proposed which would be a special tax against the 250 lots in the two subdivisions that would cost each property owner approximately \$50 per year for 15 years. The City would have participated in getting bonds and issuing them and then would place a lien against the properties to collect in all about \$351,000 for improvement of the new rerouted Stuermann Road. It would be an impact to the City and lot owner and the City would ask Warren County, as the current owner of the roads, if they could participate in the maintenance of the existing road until a new road is constructed. Jeff McMullin said the City could still require escrow on the undeveloped property and hold the escrow in lieu of the NID. Alderman Schuchmann said the original developer did not follow through on a promise he made to finish Stuermann Road. Alderman Schuchmann said he believes there is a solution to it that can be worked out by sitting down with the County, the builders and a representative of the community. Alderman Black said he thought we should have the builders present. PR Development did not own the land and could

not put a bond up as it was owned by Tom Lafferty. Alderman Schuchmann informed the residents that according to State Statute, the City can not spend money on something they did not own. Alderman Schuchmann said there are a lot of situations in the county where you have to travel over a county road to get to a subdivision. Mayor White said Stuermann Road is not the only road in town leading to a subdivision that does not belong to the City and the City doesn't maintain. Another similar road is Indian Head Lodge Road. The residents said the road should have been fixed before allowing a subdivision to come in. Alderman Abercrombie asked Arden Engelage if he was willing to work with the City to try and resolve the issue and he said it was a good idea, but said the County will not do anything until the City puts it in writing. He added that there are people here that need to get their road fixed so lets work together to get it fixed. He said we should quit arguing and get a solution. Alderman Abercrombie stated he is against pointing fingers and suggested we have a meeting to continue discussing this and suggested having it on Tuesday, February 2, 2010, at 6:30 pm. City Attorney Leslie Tolliver-Rogers stated she could be here. Mayor White asked the City Attorney to clear up the ownership. City Attorney Leslie Tolliver-Rogers said from a legal standpoint on paper the road is currently owned by Warren County because it was never properly deeded between Warren County and the City of Wright City. Jeff McMullin asked if there is a homeowners association to put rock on the road. Matt Kaatman stated there is one for Timber Trails and there may be a \$1000 in it which is just for the subdivision and not the roads outside of it. Arden Engelage said he will try to get all of the commissioners to be at the meeting and will have a meeting notice posted for 6:30. Mayor White officially called for a meeting on Tuesday night. Alderman Schuchmann explained to the residents that a solution is not going to happen over night.

Nancy Huster asked to speak on utility and recreational trailers. She stated this is about some trailers in the rear yard of a residence behind her. She said the trailer is in their lot not behind their house. Nancy Huster said her Alderman contacted Larry Janish and he said if the trailers are behind the rear Building line it was okay. Nancy Huster stated she got a copy of Ordinance 698 on utility trailers and it says behind the residence. Alderman Schuchmann looked up the definition of rear yard in the code book and said the rear line goes all the way across the lot. Nancy Huster stated it should be referenced in the ordinance.

Public Hearing

Amend Wright City Municipal Code – Chapter 502 Section 502.040 - Mayor White opened the Public Hearing. City Clerk Christine Martin read the Public Hearing Notice. It was discussed that Wentzville does follow the IBC Code as written and Warrenton does not. Mayor White closed the Public Hearing.

Amend Wright City Municipal Code – Chapter 505 Section 505.030 - Mayor White opened the Public Hearing. City Clerk Christine Martin read the Public Hearing Notice. There were no comments. Mayor White closed the Public Hearing

Recommendations from Planning & Zoning

Amend Wright City Municipal Code – Chapter 502 Section 502.040 - Alderman Schuchmann made a motion to accept the decision of Planning & Zoning to table amending

chapter 502 Building Codes Section 502.040 on the topic of basement egress to the Workshop. Alderman Black seconded it and the motion unanimously carried.

Amend Wright City Municipal Code – Chapter 505 Section 505.030 - Alderman Schuchmann made a motion to accept the recommendation from Planning & Zoning to approve the Amendment of Chapter 505 Building Requirements Section 505.030 Permit Fees. Alderman Abercrombie seconded it and the motion unanimously carried.

Ordinance/Resolutions

Bill #07-10 was presented to the Board. Alderman Schuchmann made a motion to table Bill #07-10 an Ordinance amending Wright City Municipal Code, Chapter 502 Section 502.040. Alderman Abercrombie seconded it and the motion unanimously carried.

Bill #08-10 was presented to the Board. Bill 08-10 was read for the first time by title. AN ORDINANCE FOR THE PURPOSE OF AMENDING TITLE V: BUILDING AND CONSTRUCTION, CHAPTER 505: BUILDING REQUIREMENTS, SECTION 505.030 PERMIT FEES, OF THE MUNICIPAL CODE OF THE CITY OF WRIGHT CITY. Alderman Schuchmann made a motion to read Bill #08-10 a second time by title. Alderman Black seconded it and the motion unanimously carried. After the second reading, Alderman Schuchmann moved that Bill #08-10 be placed upon final passage. Alderman Black seconded it and the motion unanimously carried. Mayor White then put the question “Shall Bill #08-10 be passed and become an ordinance?” Roll call was taken with the following vote:

Alderman Abercrombie	Yea	Alderman Schuchmann	Yea
Alderman Black	Yea	Alderman Reynolds	Yea

The Bill having the majority vote of the members present was adopted. Said Bill was thereupon presented to the Mayor and President of the Board for their signatures and approval. It was then duly signed and becomes Ordinance #706 of the City of Wright City, Missouri.

Old Business

Tree at 115 S. Locust – Joe Iannicola - Leslie Tolliver-Rogers said she had worked with Larry and Christine with getting information and pictures. Larry said he will look at it again in the spring for the condition of the tree.

New Business

Proclamation - Alderman Reynolds said she had a Proclamation she would like considered to honor James W. Lowry for his service in the community and activity with the youth. Alderman Reynolds made a motion to consider the Proclamation honoring James W. Lowry for his service and proclaiming June 12, 2010, as James W. Lowry Day in the City of Wright City. Alderman Abercrombie seconded it and the motion unanimously carried.

Stuermann Road - The Board already discussed this under Open Meeting to Public Comments/Concerns.

Utility Billing - Payment Agreements – Acct #100491001, Account #400189001, and Acct 500001001- City Clerk Christine Martin stated Acct 100491001 has already been paid. Alderman Schuchmann made a motion to approve the payment agreement for Account #400189001. Alderman Black seconded it and the motion unanimously carried.

Alderman Abercrombie made a motion to approve the payment agreement for Account #400189001. Alderman Schuchmann seconded it and the motion unanimously carried.

Trotters Creek - Karen explained to the Board that Duane Regeon gave her a letter asking the City to take over the Streets and Utilities. Larry said there is an issue with the streets and said he will do another inspection and will provide a list. Alderman Schuchmann made a motion to have the City Attorney Leslie Tolliver-Rogers review and give a recommendation back on the point that Mr. Martin is bringing up. Alderman Black seconded it and the motion unanimously carried.

Auburn Meadows Plat One & Plat Two – Request for Inspection of Improvements – Alderman Abercrombie made a motion to table Auburn Meadows Plat One & Plat Two to the next meeting. Alderman Black seconded it and the motion unanimously carried.

Hickory Trails Street Repairs – Jeff McMullin was present and told the Board that the owner, Robert Glarner, is agreeing to saw cut, excavate, re-rock and tear out a portion of the street at of the entrance to Hickory Trails off of Bell Road if the City will agree to replace the concrete slab. Alderman Black made a motion to accept the proposal. Alderman Schuchmann seconded it and the motion unanimously carried.

Reports

Engineering – None

Park - Curt Kehoe was present to give a report to the Board. He said the Farmers Market will return this spring and Wright City is the only location they will hold their Farmers Market. Curt said Robin will be helping out by taking money in for the baseball signups. He said the City will be taking in the responsibility of running the concession stands. Bill Stinson asked if people working it will be volunteers or City paid. Curt said they will be City paid employees.

Public Works - Superintendent Larry Janish gave report to the Board. He said they used two pallets of salt and sixteen tons of cinders on Tuesday, January 26 during snow removal. On Thursday, January 28, they used ten tons of cinders and no salt. Larry said they will be needing a locator as the current one is 20 years old. He said he received three prices with Schulte Supply being the lowest at \$3385.60, Boehmer Brothers at \$3402.32 and HD Supply at \$3529.00. Larry said he put the purchase of it on the next agenda.

Building Official - Larry Janish stated on January 19, 2010 at 3:00 pm he met with the owner of Big Boys on site and began to make a list of hazards that needs to be corrected. Larry said he will give him thirty (30) days to comply with the violations.

Police Department - Chief Matthews gave report and said they've had 191 calls in the last two weeks. He said he's had several calls for domestic cases. They are doing more patrol due to

burglaries in the areas of Warrenton, Wentzville and also O'Fallon. There have been about 70 burglaries but Wright City was bypassed. They have several investigations going on and some are drug related. DARE is over for the year and Officer Jeff Scanlon is going to set up a graduation for 135 students. They had two stolen vehicles and both were recovered; there was one arrest made where the vehicle was recovered in Columbia. The owner of the other vehicle chose not to prosecute. Chief Matthews announced that Brian D. Colbert submitted his resignation on January 27, 2010, and added he just received it this morning. Mr. Colbert went back to work for the City of O'Fallon. Alderman Abercrombie made a motion to accept the resignation of Brian D. Colbert. Alderman Reynolds seconded it and the motion unanimously carried

City Hall – City Clerk Christine Martin gave report to the Board and said the City Hall Furnace was repaired and the cost was \$325. She called Budget Heating, the new business in town and feels they gave the City a fair price and good service. She said W2-s were completed and mailed out last Friday. She asked the Board if she could request updates of the code book after the pending code changes are decided. City Clerk Christine Martin stated there is currently have 82 pages of updated ordinances which will cost about \$1476 which the City did budget for. Alderman Schuchmann made a motion to approve getting the codes updated. Alderman Abercrombie seconded it and the motion unanimously carried

Treasurer Report – Karen Girondo gave Report and said the December financials are on the desk and went over the figures. The reports include taxes in revenue but not in cash since the check from Warren County was not received until January. The December Tax Collections was \$330,170.84 which is about \$100 less than in 2008 for the January check. She said general fund came within \$700 of the projected budget and we did good at projecting the 2009 budget. Karen said she will be going over year end for the next several weeks. Alderman Abercrombie said it was a good job by the people responsible for making the budget out.

Economic Development – Karen Girondo reported to the Board and said the CDBG Parks Grant is due the 1st of May and said we need to get an engineer and have a Public Hearing and said it needs an assessment. Karen said she attended the TAC meeting and the main issue of the meeting was future planning and identify needs if the state would have the funding for the next ten years. Karen gave the Board a 2010 Boonslick TAC Prioritized Transportation Needs which covers the three county area and each representative ranks each project with BRPC Staff. Karen said she attended a Missouri Department of Economic Development Webinar today on the Quality Jobs Act.

Review/Approval of Bills

Alderman Schuchmann made a motion to approve the Bills. Alderman Abercrombie seconded it and the motion unanimously carried.

Final Questions - Ms. Nancy Huster stated to the Mayor that she was not done and wanted to say she was rudely treated by him.

Tony Midiri said he noticed that Wilson Waste has driven in and out of his subdivision when no one had their trash out and asked about the Holiday Schedule. City Clerk Christine Martin stated it posted on the front door but would try to get the word out by other means such as the Newsletter.

It was mentioned that some of the municipalities such as St. Peters are easing up on shooting fireworks and suggested the City consider it.

Vote to go to closed Executive Session - Alderman Black made a motion to come out of regular session and go into executive session to discuss business relating to Legal as allowed pursuant to the exception of the provisions of Section 610.021(1) RSMo. Alderman Schuchmann seconded it and roll call was taken

Alderman Black Yea
Alderman Reynolds Yea

Alderman Schuchmann Yea
Alderman Abercrombie Yea

The motion carried.

Alderman Reynolds made a motion to come out of executive session and go into regular session. Alderman Abercrombie seconded it and roll call was taken:

Alderman Black Yea
Alderman Reynolds Yea

Alderman Schuchmann Yea
Alderman Abercrombie Yea

The motion carried.

Adjournment - Alderman Black made a motion to adjourn the meeting at 8:35 pm. Alderman Reynolds seconded it and the motion unanimously carried

Approved _____

Attested _____